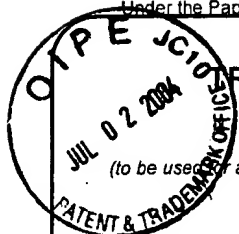


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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031
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Application Number	09/363,234
Filing Date	July 27, 1999
First Named Inventor	Douglas E. Ott, et al.
Art Unit	3763
Examiner Name	M. Thompson
Attorney Docket Number	1-15369

Total Number of Pages in This Submission 3

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Notice of Related Litigation as Required by MPEP Section 2001.06(c) & 37 CFR 1.56	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Marshall & McInhorn, LLC D. Edward Dolgorukov
Signature	<i>D. Edward Dolgorukov</i>
Date	6/30/04

CERTIFICATE OF TRANSMISSION/MAILING

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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D. Edward Dolgorukov

(signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
DOUGLAS E. OTT, et al.)	Group Art Unit 3763
)	
Serial No. 09/363,234)	Examiner: M.M. Thompson
)	
Filed: July 27, 1999)	
)	Attorney Docket 1-15369
For: METHOD AND APPARATUS)	
FOR TREATING GAS FOR)	
DELIVERY TO AN ANIMAL)	

June 30, 2004

NOTICE OF RELATED LITIGATION AS REQUIRED BY
M.P.E.P. § 2001.06 (c) and 37 C.F.R. 1.56

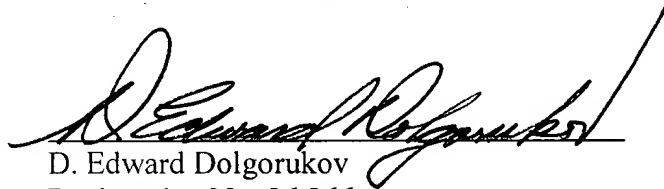
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Honorable Sir:

Applicants, in accordance with Section 2001.06(c) of the Manual of Patent Examining Procedure, hereby give notice of litigation related to this application. The present application is a continuation-in-part of application Serial No. 09/081,186, filed May 19, 1998, for Method and Apparatus for Conditioning Gas for Medical Procedures Having Humidity Monitoring and Recharge Alert, now United States Letters Patent No. 6,068,609. Applicant's Assignee has now charged at least one party with infringement of this patent, and has instituted litigation styled *Lexion Medical LLC v. Northgate Technologies, Inc. et al.*, Civil Action No. 1:04CV 0167, United States District Court for the Eastern District of Texas. Applicants will bring to the attention of the Office all

information which may be material to the examination of the present application. To date there has been no discovery which is material to the examination of the application.

Respectfully submitted,



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Registration No. 26,266

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